

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - September 17, 1969

Appeal No. 10170 Naomi Berman, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly, made, seconded and unanimously carried, the following Order of the Board was entered at the meeting of September 23, 1969.

EFFECTIVE DATE OF ORDER - December 17, 1970

ORDERED:

That the appeal for permission to continue parking lot for a period of five years at 935 - 25th Street, N. W., lots 55 & 56, Square 28, be conditionally granted.

FINDINGS OF FACT:

1. The subject property is located in an R-5-B District.
2. The Board of Zoning Adjustment authorized the establishment of a parking lot at this location in BZA Appeal No. 7956.
3. The Certificate of Occupancy No. B70249 is due to expire on October 21, 1969.
4. Appellant requests permission to continue the use of this property as a parking lot for a period of five (5) years.
5. The lot is used primarily to accommodate a non-conforming grocery store on the subject lot.
6. No objection to the granting of this appeal was registered at the public hearing.
7. The Department of Highways and Traffic offers no objection to the granting of this appeal.

Appeal No. 10170
December 17, 1970
PAGE 2

OPINION:

We are of the opinion that the establishment of this parking facility will not create any dangerous or otherwise objectionable traffic conditions, that the present character and future development of the neighborhood will not be adversely affected, and that the lot is reasonably necessary and convenient to other uses in the vicinity. However, the Certificate of Occupancy shall not issue until the conditions hereafter set forth in this Order are complied with.

This Order shall be subject to the following conditions:

- a. Permit shall issue for a period of five years, but shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.
- b. All parking areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

Appeal No. 10170
December 17, 1970
PAGE 3

g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises in the zoning district in which the parking lot is located.

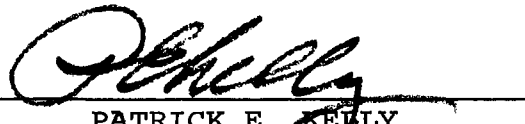
h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

The Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

BY:


PATRICK E. KELLY
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.